



Room 301, Hall of Records
2281 Tulare Street
Fresno, California 93721-2198
Telephone: (559) 488-3529
Toll Free: 1-800-742-1011

Board of Supervisors Agenda

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3rd District

Vice Chairman

Susan B. Anderson

2nd District

Phil Larson

1st District

Judith G. Case

4th District

Bob Waterston

5th District

Bart Bohn

County Admin. Officer

Phillip S. Cronin

County Counsel

Bernice E. Seidel

Clerk

ACTION SUMMARY MINUTES

TUESDAY

FEBRUARY 25, 2003

9:00 A.M.

PLEDGE OF ALLEGIANCE

Administrative Office

1. Recognize Edison High School as the Fresno County Academic Decathlon winning team

RECOGNIZED

2. Proclaim March 1 through 7, 2003, as Weights and Measures Week: working for integrity in the market place

APPROVED AS RECOMMENDED

3. **Morning Consent Agenda – Item Numbers 20 – 48**

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

APPROVED AS RECOMMENDED INCLUDING ADDENDUM AND WITH THE EXCEPTION OF ITEM NO. 28 WHICH WAS PULLED FOR DISCUSSION

APPROVED ITEM NO. 28 AS RECOMMENDED

4. Consider public testimony and take action on Program/Project Environmental Impact Report prepared for the Fresno County Juvenile Justice Campus (JJC) and authorize acquisition of land for the JJC within an agricultural preserve based on the findings required by the Land Conservation Act of 1965

APPROVED AS RECOMMENDED

The Tuesday Board of Supervisors meeting is broadcast live on
Radio KFCF•FM 88.1 9:00 A.M. until Noon and 2:00 P.M. until 6:00 P.M.

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Internet: www.fresno.ca.gov/0110/agenda.html

5. Consider public testimony and take action on General Plan Amendment No. 491, Amendment Application No. 3725 and Unclassified Conditional Use Permit Application No. 3045 for the Fresno County Juvenile Justice Campus

AnLCA
W/abst

APPROVED AS RECOMMENDED

Administrative Office

6. Approve and authorize Chairman to execute amendment to agreement with Fresno Convention and Visitors Bureau for the implementation of Fresno County's Tourism Master Plan components and funding of a County Director of Tourism positions; and amend Fresno County Salary Resolution as reflected on Appendix C

CAnLA
W/abst

APPROVED AS RECOMMENDED

7. Approve the return of the interest on excess child support incentive funds in the amount of \$89,782.37 to the State Department of Child Support Services as required under Assembly Bill 150 (Chapter 479, Statutes of 1999); adopt budget resolution transferring monies within the District Attorney Facility Improvement Org. 8813 from the prior year to the FY 2002-03 budget (\$89,782.37) (4/5 vote), and adopt budget resolution increasing the FY 2002-03 appropriations and revenues for the Capital Projects Org. 1910 (\$89,782.37) (4/5 vote)

AnCLA
W/abst

APPROVED AS RECOMMENDED

8. Receive oral report on the Library Reference Services program

RECEIVED

9. Approve the final facilities development plan, "The Heart of a Community: its Public Library Meeting Library Needs for Fresno County Residents: 2002 – 2020" and recommendations for immediate, intermediate, and long term implementation actions

AnCLA
W/abst

APPROVED AS RECOMMENDED; DIRECTED STAFF TO ADD "PREFERENCE FOR OWNING VERSUS LEASING LIBRARIES" TO ATTACHMENT 1 OF AGENDA ITEM

Sitting as Board of Equalization

10. Conduct hearing to consider objections to assessments of Garfield Water District and adopt resolution fixing ad valorem rate of assessment

LCAnA
W/abst

APPROVED AS RECOMMENDED

11. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)

RECEIVED

12. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)

CAL-ID BOARD

APPOINTED JEAN BARLOW AS ALTERNATE

PARLIER CEMETERY DISTRICT

APPOINTED PATRICK TURNER AND PEDRO CORTEZ

PLANNING COMMISSION

RESCINDED APPOINTMENT OF DAVID JESSEN

PLANNING COMMISSION

APPOINTED KEN ABRAHAMIAN

APPROVED NOMINATIONS FOR APPOINTMENTS/RESCISSION

ALCOHOL & DRUG ADVISORY BOARD

RESCINDED APPOINTMENT OF BRIAN CONWAY

FRESNO ARTS COUNCIL

RESCINDED RE-APPOINTMENT OF EVA TORRES VASQUES

APPROVED RESCISSIONS

13. **Closed Session** –

- a. Conference with Labor Negotiator (GC 54957.6); Agency Negotiator - Ralph Jimenez; Employee Organization - All Bargaining units and management and unrepresented employees - hours, wages and terms and conditions of employment.

HELD

Sitting as the IHSS Public Authority Governing Board

- b. Conference with Labor Negotiator (GC 54957.6); Agency Negotiator - Ralph Jimenez; Employee Organization - SEIU Local 250 – hours, wages, and terms and conditions of employment.

BY UNANIMOUS VOTE, THE BOARD AUTHORIZED COUNTY COUNSEL TO RELEASE AN OPINION ON THE RETIREES' PARTICIPATION AND HEALTH BENEFIT STRUCTURE OF THE COUNTY HEALTH PLAN

NOON RECESS

LCAAnA
W/abst

AnCLWA

2:00 P.M.

14. Afternoon Consent Agenda – Item Numbers 49 – 66

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Afternoon Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

CAnLWA

APPROVED AS RECOMMENDED

Administrative Office

15. Conduct first hearing of proposed ordinance to amend Fresno County Ordinance Code, Title 15 regulating building and construction within Fresno County, and set second hearing for March 11, 2003

AnCLWA

APPROVED AS RECOMMENDED; WAIVED READING OF ORDINANCE IN ITS ENTIRETY

16. Conduct public hearing and consider application to vacate public service and utility easements in Mayfair Subdivision Vacation No. V-02-07

AnCLWA

APPROVED APPLICATION TO VACATE THE PUBLIC SERVICE EASEMENTS ONLY; UTILITY EASEMENTS WILL BE MAINTAINED; DIRECTED STAFF TO CONTACT CITY OF FRESNO REGARDING POSSIBLE FAX LOOP THROUGH THE NEIGHBORHOOD TO MINIMIZE WALKING DISTANCES

17. Consider and adopt resolution documenting final action granting the appeal of the Planning Commission's approval and denying Director Review and Approval No. 3401, Variance Application No. 3733

CAnLWA

APPROVED RESOLUTION ADOPTING FINDINGS AND DENYING DIRECTOR REVIEW AND APPROVAL NO. 3401, VARIANCE NO. 3733, AND INITIAL STUDY APPLICATION NO. 4745 WITH PREJUDICE

18. Consider and take action under Section 4.5 of MOU between County, City of Clovis and Clovis Community Development Agency on proposed intensification of land-use designations proposed by City of Clovis in its Southeast Urban Center Specific Plan

AnCLWA

TENTATIVELY APPROVED THE MORE INTENSIVE LAND USES IN THE SPECIAL STUDY AREA AND CONTINUED THIS TO THE NEXT BOARD MEETING ON MARCH 11, 2003, AT 2:00 P.M.; DIRECTED STAFF TO PREPARE A LEGAL OPINION ON WHETHER PROPOSED ALTERNATIVES IN THE SPECIFIC PLAN MEET THE REQUIREMENTS OF GOVERNMENT CODE SECTION 65451

19. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

HELD

ADDEMDUM TO AGENDA

County Counsel

Approve and authorize the Chairman to sign a letter to the Secretary of the Interior opposing the permanent assignment of Broadview Water District's ("Broadview") Central Valley Project ("CVP") water contract to Pajaro Valley Water Management Agency ("Pajaro").

CAnLA
W/abst

APPROVED AS RECOMMENDED

Approve and authorize the Chairman to sign a letter to the Santa Clara Valley Water District ("Santa Clara") opposing the permanent assignment of Broadview's CVP water contract to Pajaro and asking Santa Clara Valley to work with the County, Westlands Water District, Pajaro, Broadview to negotiate a water transfer that will help Pajaro and Santa Clara Valley, but keep Broadview's water supply in Fresno County.

Placement on Agenda: **A.M. Consent**

CAnLA
W/abst

APPROVED AS RECOMMENDED

CAnLWA

ADJOURNED

NEXT MEETINGS:

March 11, 2003 – 9:00 A.M.

March 25, 2003 – 9:00 A.M.

Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 488-3529 no later than Monday at 9:00 a.m.

MORNING CONSENT AGENDA – Item Numbers 20 – 48

(Any Board Member may pull any consent item for discussion or separate vote)

CAnLA
W/abst

APPROVED AS RECOMMENDED INCLUDING ADDENDUM AND WITH THE EXCEPTION OF ITEM NO. 28 WHICH WAS PULLED FOR DISCUSSION

CLAnA
W/abst

APPROVED ITEM NO. 28 AS RECOMMENDED

Auditor-Controller/Treasurer-Tax Collector

20. Approve and authorize Chairman to execute first amendment to the agreement with Kelling, Northcross and Nobriga for financial advisor services, extending the original contract expiration date from February 28, 2003, to March 28, 2003

Sheriff

21. Adopt a resolution increasing FY 2002-03 appropriations and estimated revenues for the Sheriff Grant Org. 31121350 (\$27,000) for purchase of three placement helicopter main motor blades (4/5 vote)
22. Approve the sole source purchase of one camera item for the Sheriff Prisoner Transportation unit, and approve and authorize Clerk to the Board to execute Budget Transfer No. 51 (\$11,500), within the Sheriff's Grant Org. 3112, within the Local Law Enforcement Block Grant

Administrative Office

23. **Salary Resolution Amendments** (Copy of amendments attached in Supervisors' Agenda Packet, on file with the Clerk to the Board, and posted on the bulletin board outside the Board Chambers)
24. Adopt Salary Resolution amendments as reflected in Appendix D in the Department of Child Support Services budget 5110 deleting twenty-eight vacant unfunded positions
25. Adopt resolution proclaiming continuation of the local emergency status as a result of the Marks/Nielsen Debris Fire
26. Adopt resolutions accepting and expressing gratitude for donations for deposit to the Library Trust Fund (\$12,000)
27. Adopt resolution accepting and expressing gratitude for a donation received from Syngeta Seed (\$3,600) to the Cooperative Extension Research Trust Fund
28. Approve Phase I implementation of the Voluntary Smallpox Vaccination Plan, designed to provide pre-event voluntary smallpox vaccination to public health response teams and hospital-based care response teams

CLAnA
W/abst

APPROVED ITEM NO. 28 AS RECOMMENDED

29. Consider and take action on request for determination of public convenience and necessity on application for alcohol beverage license filed by Chase, Inc., located at 25206 W. Dorris, Coalinga
30. Adopt resolution increasing the FY 2002-03 Department of Adult Services Org. 5630 appropriations and estimated revenues (\$1,286,594) to finance the cost of pharmaceuticals provided to mental health consumers (4/5 vote)

31. Adopt resolutions increasing appropriations and estimated revenues for the FY 2002-03 Human Service System Administration Promoting Safe and Stable Families Program Org. 56007111 (\$188,694) to finance services provided to families and children and FY 2002-03 Information Technology Services Department Org. 8908 (\$3,150) to purchase computer hardware (4/5 vote)
32. Authorize the “AGREEMENTS TO DEFEND PUBLIC OFFICERS OR EMPLOYEES” with the provision of defense counsel to appear and defend with Reservation of Rights: Richard Pierce, Sheriff; James Kerns, Sheriff’s Sergeant; Allan McGurk, Deputy Sheriff III; Todd Cotta, Deputy Sheriff III; Daniel Richardson, Correctional Officer III; Scott Plann, Deputy Sheriff II; and Jared Binford, Reserve Deputy Sheriff; as named in U.S. District Court Eastern District of CA Court Case No.: CIV F 02-5669 OWW DLB – Kristine Ballantyne v County of Fresno, et al

Agreements – Approve and Authorize Chairman to Execute:

33. Retroactive revenue agreement with Fresno-Madera Area Agency on Aging for Preventive Health Care for the Aging Program (\$27,472)
34. Revenue agreement with Fresno Community Hospital and Medical Center for HIV outreach services to high-risk youth and adolescents (\$17,500)
35. Retroactive revenue agreement with the State Department of Health Services for Laboratory Testing Services (\$450,000); and approve and authorize Chairman to execute State Contractor’s Release and Certification Clauses Document
36. Revenue agreement with California Department of Health Services to secure allocation of Emergency Medical Services Appropriation funds for local physicians providing care for persons unable to pay for healthcare services through any other source (\$599,510)
37. Agreement with WestCare California, Inc., for alcohol and drug treatment services (\$250,108)
38. Retroactive agreement with Verizon Select Services, Inc., to provide maintenance and service of the County’s telephone system and establish telephone equipment purchase prices for three years (\$2,903,091)
39. Retroactive revenue agreement with State Emergency Medical Services Authority for distribution of Trauma Care Funds to pay for non-reimbursed trauma services (\$534,191), and adopt resolution increasing appropriations and estimated revenues for FY 2002-03 Department of Community Health Org. 56201673 (\$528,849) (4/5 vote)
40. Agreement with the Deaf and Hard of Hearing Services Center, Inc., for the provision of sign language interpreting and translation services (\$30,651)
41. Amendment to the agreement with Vocational Management Services, Inc., to include learning disabilities evaluations (\$61,600)
42. Lease agreement with Alfred and Florence Schmall to continue farming approximately 49 acres on the Juvenile Justice Campus property located at American Avenue and Freeway 99 (\$5)
43. Retroactive Master Service agreement for Proposition 36 program drug treatment and ancillary service providers (\$1,606,462)

44. Amendment to agreements with the California Department of Education to increase CalWORKs alternative payment child care revenues (\$589); and Supportive Services, Inc., to increase funding for continued child care services (\$15,589)
45. Retroactive two-year agreement with Comprehensive Youth Services, Inc., to claim reimbursement for Targeted Case Management Services (\$200,000)
46. Retroactive agreement with the Fresno County Superior Court for the provision of staff services, treatment services and supplies for the Fresno County Post Conviction Drug Court (\$150,000)
47. Agreement with the California School of Professional Psychology at Alliant International University for Patients' Rights Advocate Services provided to the Department of Adult Services (\$155,957)
48. Amendment to agreement with Columbia Ultimate Business Systems, Inc., for additional prepaid services for the Auditor's Automated Collection System (\$66,500)

Afternoon Consent Agenda Item –Item Numbers 49 – 66

(Any Board Member may pull any consent item for discussion or separate vote)

CAnLWA

APPROVED AS RECOMMENDED

49. Adopt resolution authorizing submittal of two grant applications to State Department of Housing and Community Development for \$1,000,000 each under Joe Serna, Jr., Farmworker Housing Grant Program (\$2,000,000); authorize Director of Department of Public Works and Planning to execute Joe Serna, Jr., Farmworker Housing Grant applications and related documents necessary to participate in program; if selected for funding, authorize Chairman to execute grant agreements, related documents and any amendments subject to review of County Counsel and Auditor-Controller/Treasurer-Tax Collector
50. Grant an extension of time to complete subdivision improvements required for Tract No. 4992, Quail Lake Phase 4, amending performance schedule in Subdivision Agreement for tract
51. Release Performance and Maintenance Security posted for Tract 3959, Wildflower, Phase 1, (\$643,410.87) to guarantee maintenance of tract improvements
52. Release Performance and Maintenance Security posted for Tract 4891, Granite Ridge No. 8, (\$26,638) to guarantee maintenance of tract improvements
53. Approve City of Fresno's request to acquire road right-of-way along west side of Polk Avenue south of McKinley Avenue and along Carnegie Avenue alignment north of Olive Avenue
54. Approve recommended actions for Tract 4989, north side of Shaw Avenue between Dockery and McCall Avenues, approximately 4 miles east of City of Clovis
55. Adopt resolution approving Summary Vacation of a 30-foot wide strip of Golden State Blvd. frontage road between Central and Chestnut Avenues, Vacation Application No. V99-04; and adopt resolution declaring surplus, authorizing sale of real property and authorizing Chairman to execute deed for County-owned vacated road right-of-way on Golden State Blvd. frontage road for \$5,000 to Johanson Transportation Service
56. Adopt proposed Mitigated Negative Declaration prepared for Initial Study Application No. 4812 for acquisition of approximately 37,500 square feet of land for development and operation of an approximate 8,000 square-foot public library to be located southwesterly of Seventh Street at its intersection with East Fresno Street in City of Fowler; and approve close of escrow for Fowler Library site property
57. Adopt plans and specifications for Contract No. 02-16-CD, Cantua Creek Hydropneumatic Tank Replacement and Cantua Creek Wastewater Treatment Plant Improvements; and authorize Director of Public Works and Planning to advertise for bids and set bid opening date

58. Authorize County Librarian and Auditor-Controller/Treasurer-Tax Collector to receive gift of \$1,000,000 from Friends of Fresno County Public Library and deposit funds in a Trust Account for Woodward Park Library construction; authorize County Librarian and Auditor-Controller/Treasurer-Tax Collector to receive gift of funds estimated to be \$500,000 from Ann Palmer Hildebrand Trust and deposit funds in Trust Account to implement terms of Trust; adopt resolution increasing FY 2002-03 Library Org. 7530 appropriations and estimated revenues (\$1,468,857) for Woodward Park Regional Library Project (4/5 vote); and award Contract No. 02-S-10, new Woodward Park Regional Library to low bidder, Zumwalt Construction, Inc., (\$4,764,140) for base bid and \$221,950 for alternate bid No.1, 2, 3 and 4
59. Approve and authorize Clerk to the Board to execute Budget Transfer No. 53 (\$3,494) from CSA No. 10, Fund 0770, Subclass 16000, Org. 9150, Contingencies Account 8991 to Maintenance – Buildings and Grounds Account 7220; and adopt Budget Resolution increasing 2002-03 appropriations (\$32,306) in CSA No. 10, Fund 0770, Subclass 16000, Org. 9150, Maintenance – Buildings & Grounds Account 7220 from General Reserves (4/5 vote)
60. Adopt Budget Resolution increasing 2002-03 appropriations (\$13,000) in CSA No. 31, Fund 0200, Subclass 12000, Org. 9171, Professional & Specialized Services Account 7295 from General Reserves (4/5 vote)
61. Adopt Budget Resolution increasing 2002-03 appropriations (\$10,000) in CSA No. 35-B, Fund 0220, Subclass 12210, Org. 9155, Special Departmental Expense Account 7400 from General Reserves (4/5 vote)
62. Approve and authorize Chairman to sign Contract Change Order No. 4 for Contract No. 2002-S-04, American Avenue Disposal Site Maintenance and Office Building, for an increased cost of \$22,360

Agreements – Approve and Authorize Chairman to Execute:

63. Amendment to agreement with City of Reedley for Mueller Park Improvements Project No 010126 to increase Community Development Block Grant funds to project from \$305,000 to \$535,000; delete study and Civic Center remodeling portion from project's scope of work; and approve amendment to agreement with City of Reedley, for Reedley 11th Street/East Avenue Neighborhood Improvements Project No. 02076, to reduce the scope of work for project to design only and reduce funding amount to \$106,114
64. Sixteen Program Supplements to Administering Agency-State Master Agreement for Federal Aid No. 06-5942 for various road projects
65. Amendment to Agreement No. A-00-617 with Rho-Chem Corporation to conduct Countywide Household Hazardous Waste Drop-off Programs
66. Approve Cross Valley Canal Interim renewal agreement (\$264,000)